

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CARL T. HARRIS, JR.,

Plaintiff,

No. C 11-0394 PJH (PR)

vs.

SANTA RITA MEDICAL DEPARTMENT
and ALAMEDA COUNTY SHERIFF,

Defendants.

**ORDER EXTENDING TIME
TO CORRECT IN FORMA
PAUPERIS APPLICATION
DEFICIENCY**

This pro se habeas action was filed when plaintiff sent the court a two-page handwritten document headed “(1983) Civil Rights Complaint Form.” The day the case was opened, the clerk notified plaintiff that he had neither paid the filing fee nor submitted an application for leave to proceed in forma pauperis. A copy of the court's form for applications to proceed in forma pauperis was provided with the notice, along with a return envelope. Plaintiff was informed that if he did not either pay the fee or file the application within thirty days the case would be dismissed.

Plaintiff has returned the application, but page five, the “Certificate of Funds in Inmate Account,” is not signed by an “authorized officer of the institution,” and he has not provided the printout of transactions in his inmate account for the six months preceding the filing of the complaint, as required by 28 U.S.C. § 1915(a)(2). In a note attached to page five he says: “I don[’t] think the staff will sign the 5th page with out giving me a hassle[.] So I[’]m sending you a receipt of the first moneys that has been put on my books since I[’]ve been in jail[.] If you still need th[e]m to give you the info I will feel much safer if you wrote them and requested for the info.” He does not explain why he would feel unsafe asking for the information, and the “receipt” to which he refers is not present.

1 The court has received many lawsuits from prisoners at the Alameda County Jail,
2 where plaintiff is incarcerated, in which the necessary signed certificate and the printout
3 have been supplied. Plaintiff's desire to avoid speculative "hassle" and his conclusory
4 statement about safety are insufficient to excuse his failure to comply with the requirements
5 for a proper IFP application.

6 The time for plaintiff to file a signed certificate of funds and a copy of his trust
7 account statement showing transactions for the past six months, or for as long as he has
8 been at the institution, is **EXTENDED** to thirty (30) days from the date of this order is filed
9 (the date stamped on the first page). No further extensions will be granted.

10 **IT IS SO ORDERED.**

11 Dated: May 23, 2011.



PHYLLIS J. HAMILTON
United States District Judge